

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF OCTOBER
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION No.7561 OF 2004

Between:

J.Laxman Rao and another.

.... PETITIONERS

AND

The Station House Officer,
P.S.Kodad Rural,
Nalgonda District, and another.

....RESPONDENTS

**THE HON'BLE SRI JUSTICE
C.Y.SOMAYAJULU**

WRIT PETITION NO.7561 OF 2004

ORDER

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This petition is filed questioning the action of the respondents in seizing the Tractor and Trailor belonging to the petitioners.

Since the panchanama shows that apart from black jaggery and alam, five litres of arrack was being transported in the tractor and trailor and since possession of and transport of arrack is prohibited under the Prohibition Act and the A.P. Excise Act, question of directing return of the articles seized does not arise. Hence, the petition is dismissed. No costs.

It is stated by the learned counsel for the petitioners that by way of an interim order the articles seized were returned to the petitioners and that proceedings for confiscation are pending before the second respondent. The interim order granted by this Court will be subject to the result of the proceedings before the second respondent.

JUSTICE C.Y.SOMAYAJULU

23rd OCTOBER, 2007

PGS

**THE HONOURABLE SRI JUSTICE
C.Y.SOMAYAJULU**

W.P.NO.7561 OF 2004

23rd OCTOBER, 2007